

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 3, 5, 6, 8, and 9 are presently active in this case, Claims 1, 3, 5, and 6 having been amended by way of the present Amendment. Claims 2, 4, and 7 have been canceled without prejudice or disclaimer.

In the outstanding Official Action, Claims 1 and 3-9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Torigoe et al. (U.S. Patent No. 5,701,760) in view of Aikawa (U.S. Patent No. 5,906,237). For the reasons discussed below, the Applicants request the withdrawal of the obviousness rejection.

The basic requirements for establishing a *prima facie* case of obviousness as set forth in MPEP 2143 include (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings, (2) there must be a reasonable expectation of success, and (3) the reference (or references when combined) must teach or suggest all of the claim limitations. The Applicants submit that a *prima facie* case of obviousness has cannot be established in the present case because the cited references, either taken singularly or in combination, do not teach or suggest all of the claim limitations.

Claim 1 of the present application recites a two-block heat exchanger comprising, among other features, at least one refrigerant circulation space having a cross-sectional flow area that is limited by a plurality of openings provided in series and decreasing in cross-

sectional flow area from an open end to a closed end thereof. Claims 3 and 6 of the present application recites heat exchangers comprising, among other features, a cross-sectional flow area of a first continuous inlet space that is limited by a plurality of openings provided in series and decreasing in cross-sectional flow area from an open end to a closed end thereof. The Applicants submit that the cited references do not teach or suggest the above features of Claims 1, 3, and 6 of the present application.

The Official Action indicates that the Torigoe et al. reference describes all of the claimed limitations except for the change in the cross-section flow area of a circulation space. The Applicants agree that the Torigoe et al. reference does not disclose a change in the cross-section flow area of a circulation space. Furthermore, the Torigoe et al. reference does not disclose at least one refrigerant circulation space having a cross-sectional flow area that is limited by a plurality of openings provided in series and decreasing in cross-sectional flow area from an open end to a closed end thereof, as recited in Claim 1, or a cross-sectional flow area of a first continuous inlet space that is limited by a plurality of openings provided in series and decreasing in cross-sectional flow area from an open end to a closed end thereof, as recited in Claims 3 and 6.

The Aikawa reference is cited for the teaching of a change in cross-sectional flow area. The Aikawa reference describes a heat exchanger having a plurality of heat-exchanging units. The heat exchanger includes a bypass passage to bypass at least one of the plurality of heat-exchanging units. The Official Action cites baffles (51, 52), presumably with the bypass holes (56, 57), for the teaching of a change in the cross-sectional flow area of a circulation

space. However, the Applicants submit that the Aikawa reference does not disclose at least one refrigerant circulation space having a cross-sectional flow area that is limited by a plurality of openings provided in series and decreasing in cross-sectional flow area from an open end to a closed end thereof, as recited in Claim 1, or a cross-sectional flow area of a first continuous inlet space that is limited by a plurality of openings provided in series and decreasing in cross-sectional flow area from an open end to a closed end thereof, as recited in Claims 3 and 6.

The heat exchanger described in the Aikawa reference does not include a space having a plurality of openings provided in series and decreasing in cross-sectional flow area from an open end to a closed end thereof, as recited in Claims 1, 3, and 6 of the present application. As discussed above, the Aikawa reference does describe baffles (51, 52) with bypass holes (56, 57), however each space only includes a single baffle with a baffle hole, and each space does not include plural holes in series that decrease in cross-sectional flow area. Furthermore, no such configuration is even suggested by the Aikawa reference.

Accordingly, the Applicants respectfully request the withdrawal of the obviousness rejection of Claims 1, 3, and 6.

Claim 5 is considered allowable for the reasons advanced for Claim 3 from which it depends.

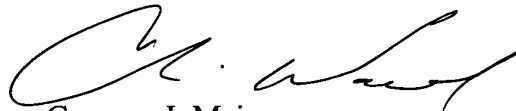
Claims 8-9 are considered allowable for the reasons advanced for Claim 6 from which they depend.

Application Serial No.: 09/977,426  
Reply to Office Action dated July 14, 2004

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Gregory J. Maier  
Registration No. 25,599  
Attorney of Record

Christopher D. Ward  
Registration No. 41,367

Customer Number

**22850**

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 08/03)

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